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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/591,644

09/05/2006

Kenichi Horiguchi

1163-0582PUS1

1802

2292 7590 03/26/2008  
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EXAMINER

NGUYEN, PATRICIA T

ART UNIT

PAPER NUMBER

2817

NOTIFICATION DATE

DELIVERY MODE

03/26/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

|                              |                                       |   |  |
|------------------------------|---------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/591,644  | <b>Applicant(s)</b><br>HORIGUCHI ET AL. |  |
|                              | <b>Examiner</b><br>PATRICIA T. NGUYEN | <b>Art Unit</b><br>2817                 |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-11 is/are allowed.
- 6) ☒ Claim(s) 1,2,12 and 13 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/5/06</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiikuma, U.S. Patent # 7,315,207 B2.

Fig. 4 of Shiikuma discloses a circuit comprising: A high efficiency amplifier including input signal dividing means (10) for splitting an input signal; a first amplifier (13) for amplifying a first input signal fed from said input signal dividing means; a second amplifier (14) for amplifying, when power of a second input signal fed from said input signal dividing means is greater than specified power, the second input signal; and a combining circuit (15) for combining an output signal of said first amplifier and an output signal of said second amplifier, said high efficiency amplifier comprising before said second amplifier: a distortion compensation circuit (12) for compensating for nonlinear distortion of said second amplifier.

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Regarding claim 2, the high efficiency amplifier according to claim 1, further comprising a distortion compensation circuit (11) for compensating for nonlinear distortion of said first amplifier before said first amplifier.

Claims 12 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al., U.S. Patent # 7,042,283 B2.

Figs. 1 and 2 of Suzuki et al. discloses a circuit comprising: For claim 12, in Fig. 1, a high efficiency amplifier including input signal dividing means (at input to amplifier 7 and quarter-wavelength 5) for splitting an input signal; a first amplifier (7) for amplifying a first input signal fed from said input signal dividing means; a second amplifier (6) for amplifying, when power of a second input signal fed from said input signal dividing means is greater than specified power, the second input signal; and a combining circuit (at node at output of peak amplifier 6) for combining an output signal of said first amplifier and an output signal of said second amplifier, wherein said distortion compensation circuit (13) is placed before said input signal dividing means rather than before said second amplifier.

Regarding claim 13, the high efficiency amplifier according to claim 12, further comprising an adaptive control circuit (21) for varying parameters of said distortion compensation circuit in response to the combined signal output from said combining circuit.

***Allowable Subject Matter***

Claims 3-11 are allowed.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patents # 6,573,793 B1, # 7,119,621 B2, and # 7,268,617 B2 contain some limitations of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICIA T. NGUYEN whose telephone number is (571)272-1768. The examiner can normally be reached on 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PTN

March 17, 2008

/Patricia T Nguyen/

Primary Examiner, Art Unit 2817